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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

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**TO: U.S. Patent Office**  
**Central Facsimile**  
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**MAIL STOP AMENDMENT**

**FROM: Donald E. Hasse**  
**Hasse & Nesbitt LLC**

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**MAR 23 2005**

PHONE: (703) 308-1202

PHONE: (513) 229-0383

FAX: (703) 872-9306

FAX: (513) 229-0683

\*\*\*\*\*  
I, Elaine Willig, hereby certify that the below identified  
correspondence is being facsimile transmitted to the United  
States Patent and Trademark Office on March 23, 2005.

Signature: Elaine Willig  
\*\*\*\*\*

Pages being transmitted:

1. Supplemental Information Disclosure  
Statement (2 pages)
2. PTO/SB/08 Form (1 page)
3. Copy of International Search Report (4  
pages)

Total No. of Pages including this cover letter: 8

Application No.: 10/660,316

Filed: 09/11/03

Inventor: Morgan

Attorney Docket No.: 0335

COMMENTS:

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MAR 23 2005

Attorney Docket No. 0335

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
James W. MORGAN : Confirmation No. 5374  
Serial No.: 10/660,316 : Group Art Unit 3721  
Filed: September 11, 2003 :  
BAG TOPPER DEVICE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.56, 1.97 and 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.56, 1.97 and 1.98, Applicant request the Examiner to make of record the documents listed on the attached PTO/SB/08 form. In accordance with MPEP 609, the Examiner is requested to initial each document listed on the attached PTO/SB/08 form in the space provided, make a copy of the initialed form, and return the copy to Applicants' attorney.

The documents listed on the attached PTO/SB/08 form came to Applicant's attorney's attention as a result of an International Search Report (copy enclosed) for the PCT patent application corresponding to the above application.

This submission does not represent that a search has been made or that no closer art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Docket No. 0335  
S.N. 10/660,316

This paper and the enclosed documents are being submitted in accordance with 37 CFR 1.97(b)(3), i.e., prior to a first Office Action on the merits. Moreover, this paper and the enclosed documents are being submitted in accordance with 37 CFR 1.97(c)(1). Applicant states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement. Therefore, no fee is believed to be due.

Respectfully submitted,

For: James W. MORGAN

By   
Donald E. Hasse  
Attorney for Applicant(s)  
Registration No. 29,387  
(513) 229-0383  
Customer Number 26868

March 23, 2005

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/660,316
				Filing Date	September 11, 2003
				First Named Inventor	James W. Morgan
				Art Unit	3721
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	0335

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
		US-	2,469,536	05/10/1949	Winnesett	
		US-	2,992,768	07/18/1961	Gatward	
		US-	4,510,620	04/09/1985	Langen	
		US-	5,356,221	10/18/1994	Achelpohl	
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>2</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published.	T <sup>3</sup>

Examiner Signature		Date Considered	
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## PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
DONALD E. HASSE  
HASSE & NESBITT LLC  
7550 CENTRAL PARKE BLVD.  
MASON, OH 45040

RECEIVED

FEB 16 2005

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing  
(day/month/year)

11 FEB 2005

Applicant's or agent's file reference  
DUR-0335PCT

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.  
PCT/US04/29547

International filing date  
(day/month/year) 09 September 2004 (09.09.2004)

Applicant  
DURO DESIGNER COMPANY, INC.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
- Filing of amendments and statement under Article 19:  
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):
- When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.
- Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35
- For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. Reminders
- Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.
- The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.
- Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.
- In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.
- See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ US  
Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (703) 305-3230

Authorized officer

Sameh Tawfik

Telephone No. 571-272-4470 Tech. Center 3700

(See notes on accompanying sheet)

Form PCT/ISA/220 (January 2004)

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference DUR-0335PCT	<b>FOR FURTHER ACTION</b>	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US04/29547	International filing date (day/month/year) 09 September 2004 (09.09.2004)	(Earliest) Priority Date (day/month/year) 11 September 2003 (11.09.2003)
Applicant DURO DESIGNER COMPANY, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the Report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)3. ☐ Unity of invention is lacking (See Box No. III)

## 4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

Form PCT/ISA/210 (first sheet) (January 2004)

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/29547

## Box IV TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

A product carrying and storage device that comprises a bag (10) with handles (12) and a bag topper device (Fig. 4A; 30) with handle openings in which contents are placed into the bag and the topper device is then guided onto the handles of the bag to protect and insulate the interior contents.

Form PCT/ISA/210 (continuation of first sheet(3)) (January 2004)

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/29547

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : B31B 1/86

US CL : 493/226

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 493/226, 227, 239, 225, 223.

383/21, 6, 25.

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2,992,768 A (GATWARD) 18 July 1961 (18.07.1961), See Figs. 3 and 4.	1-11
A	US 5,356,221 A (ACHELPOHL et al.) 18 October 1994 (18.10.1994).	1-11
A	US 4,510,620 A (LANGEN et al.) 09 April 1985 (09.04.1985).	1-11
A	US 2,469,536 A (WINESETT) 10 May 1949 (10.05.1949).	1-11

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

## \* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier application or patent published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&amp;"

document member of the same patent family

Date of the actual completion of the international search

16 December 2004 (16.12.2004)

Date of mailing of the international search report

11 FEB 2005

Name and mailing address of the ISA/US

Mail Stop PCT, Ann: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Sameh Tawfik

Telephone No. 571-272-4470

*Sheila H. Verley*  
Patent Specialist  
Tech. Center 3700

Form PCT/ISA/210 (second sheet) (January 2004)



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